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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Manning *et al.*

Confirmation No.: 6909

Serial No.: 10/665,715

Art Unit: To be assigned

Filed: September 19, 2003

Examiner: To be assigned

For: COMPOSITIONS AND  
METHODS FOR MODULATING  
ACTIVATION OF NF- $\kappa$ B

Attorney Docket No: 10624-142-999  
(CAM:) (700755-999141)

**PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.115, please enter the following amendments and consider the remarks below.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

08/04/2004 GDUCKETT 00000002 503013 10665715

01 FC:1201 86.00 DA  
02 FC:1203 290.00 DA

### REMARKS

Claims 1-28 are pending in the instant application. In the instant Amendment, claims 1-28 are canceled without prejudice, and new claims 29-43 are added. Thus, after entry of the instant Amendment, claims 29-43 will be pending. Claims 29-43 are supported by the claims as originally filed and in the specification at pages 21-24 ("Ubiquitination Assays"). Applicants expressly reserve the right to pursue any canceled subject matter in one or more related, continuation, divisional or continuation-in-part application(s). The new claims are fully supported by the specification and claims as originally filed, and do not constitute new matter. Entry thereof is therefore respectfully requested.

### CONCLUSION

Applicants submit that claims 29-43 satisfy all of the criteria for patentability and are in condition for allowance. An early indication of the same and passage of claims 12-30 to issuance is therefore kindly solicited.

No fees are believed due in connection with this preliminary amendment. However, the Commissioner is authorized to charge all required fees, fees under 37 C.F.R. § 1.17 and all required extension of time fees, or credit any overpayment, to Jones Day U.S. Deposit Account No. 503013.

Respectfully submitted,

Date: June 11, 2004

By: *[Signature]* Reg. No. 49,020

*[Signature]* 35,203  
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